THE HON'BLE SRI JUSTICE P.S.NARAYANA

WRIT PETITION No.15360 of 2006

Dated:25.07.2006

Between:

Smt. Asha Shakuntala @ A.Shakuntala W/o Danaiah

..... PETITIONER

And

Election Officer cum Returning Officer for Gram Panchayat, Rajakkapet, Dubbak Mandal, Medak District and others.

.....RESPONDENTS

THE HON'BLE SRI JUSTICE P.S.NARAYANA

WRIT PETITION No.15360 of 2006

ORDER:

Heard the learned counsel.

The writ petition is filed for a Writ of Mandamus declaring the action of the respondents 1 and 2 in rejecting the nomination of the petitioner to the office of the Sarpanch of Rajakkapet Gram Panchayat, Dubbak Mandal, Medak District, scheduled to be held on 29.07.2006, by issuing the impugned proceedings, dated 22.07.2006, vide proceedings No.A/39/2006 passed by the second respondent, confirming the rejection of nomination vide letter, dated 21.07.2006, of the first respondent, as arbitrary, illegal, without jurisdiction and contrary to Section 19(3) of the A.P.Panchayat Raj Act 1994, (for short "the Act") and the rules made thereunder, and also violative of Article 14 of the Constitution of India, and permit the petitioner to contest the elections and pass such other suitable orders.

Learned counsel for the petitioner pointed out to Section 19(3) of the Act, and also would point out to the impugned proceedings dated

22.07.206, wherein, it was shown that Danaiah, the husband of the petitioner, is having two wives, and there are issues after 30.05.2005 and as such the appeal is rejected.

It is no doubt true that all the factual details had not been clearly narrated, however, certain reasons had been recorded. Though the reasons appear to be not intelligible reasons *prima facie, e*xcept expressing this opinion, nothing, as such, can be done at this stage, inasmuch as the petitioner is having a remedy by way of Election Petition before the Election Tribunal.

Giving the above said liberty to the petitioner, the writ petition is disposed of. No order as to costs.

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25.07.2006

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